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October 26, 2021

BY ECF

Hon. Lewis A. Kaplan
Judge of the U.S. District Court
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

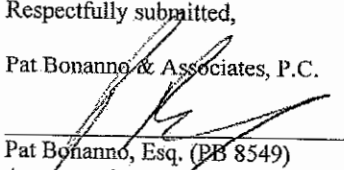
Re: *Quirk v. Katz, et al.*, No. 20-cv-09910 (LAK)

Dear Judge Kaplan:

We write acknowledging this Court's granting Plaintiff's leave to amend and respectfully request permission to engage in document discovery at this juncture. The documents to be demanded are in the sole and exclusive possession of the Defendants. Such discovery demands would not be unduly burdensome on Defendants as we only seek document production at this time.

Respectfully submitted,

Pat Bonanno & Associates, P.C.

By: 
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Memorandum Endorsement

Quirk v. Katz, 20-cv-9910 (LAK)

The application is denied.

The grant of the motion for leave to amend did not determine whether the first amended complaint stated any legally sufficient claim for relief. It simply reflected the fact that ruling on the merits of the motion to dismiss the prior pleading would not be an efficient use of judicial resources in view of the fact that even a grant of that motion would not necessarily result in a disposition of the entire action. Accordingly, it was without prejudice to a motion to dismiss the second amended complaint.

Having considered the prior motion and reviewed the second amended complaint, the Court continues the stay of discovery pending disposition of the anticipated motion to dismiss the second amended complaint.

SO ORDERED.

Dated: October 26, 2021

/s/ Lewis A. Kaplan

Lewis A. Kaplan
United States District Judge